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## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

MICHAEL BRYANT, JOHN DRAKE,	)
BECKY KELLEY and HERBERT LOWE,	)
Plaintiffs,	)
1,	) CIVIL ACTION FILE NO.
<b>v.</b>	) 1:04-CV-2462-WSD
VEDRIORI IONIEC MADII VAI DOVO DDEW	)
VERNON JONES, MARILYN BOYD DREW,	)
MORRIS WILLIAMS and RICHARD	)
STOGNER, in their individual	)
capacities, and DEKALB COUNTY,	)
GEORGIA,	)
	)
Defendants.	)

# **VERDICT FORM & SPECIAL INTERROGATORIES TO THE JURY**

# I. DEFENDANT DEKALB COUNTY

#### A. LIABILITY TO MICHAEL BRYANT:

Do you find from a preponderance of the evidence:

1. That DeKalb County, Georgia maintained a custom or policy that intentionally discriminated against Plaintiff Bryant in the terms and conditions of his employment based on Plaintiff Bryant's race by creating and maintaining a racially hostile and abusive work environment?

Answer Yes or No	Yes

[Note: if you answer "No" to Question No. 1 you need not answer question A2 or A3 and you should next answer question A4.]

2. If you find that DeKalb County, Georgia maintained a custom or policy that intentionally discriminated against Plaintiff Bryant in the terms and conditions of his employment based on his race by creating and maintaining a racially hostile and abusive work environment, did Plaintiff Bryant sustain any damages as a direct result of that custom or policy?

Answer Yes or No	Ves
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3. That Plaintiff Bryant should be awarded damages against Defendant DeKalb County to compensate him for emotional pain and mental anguish?

Answer Yes or No / S

If your answer is "Yes", in what amount? \$ \( \)

4. That DeKalb County, Georgia maintained a custom or policy that intentionally discriminated against Plaintiff Bryant in the terms and conditions of his employment based on Plaintiff Bryant's race by changing Plaintiff Bryant's job duties?

Answer Yes or No CS
[Note: if you answer "No" to Question No. 4 you need not answer questions A5 through A7.]

5. That DeKalb County, Georgia would have changed Plaintiff Bryant's job duties for other reasons even in the absence of consideration of Bryant's race?

Answer Yes or No <u>VO</u>
[Note: if you answer "Yes" to Question No. 5 you need not answer question A6 or A7.]

	6.	If you find that DeKalb County, Georgia maintained a custom or policy that intentionally discriminated against Plaintiff Bryant in the terms and conditions of his employment based on his race by changing his job duties, did Plaintiff Bryant sustain any damages as a direct result of that custom or policy?		
	A arr	ver Yes or No <u>Yes</u>		
	[Note	e: if you answered "No" to Questions No. 6, you need not answer tion A7 as to DeKalb County, Georgia.]		
	7.	That Plaintiff Bryant should be awarded damages against Defendant DeKalb County to compensate him for emotional pain and mental anguish?		
	A a	ver Yes or No Yes		
	Answ	ver yes or No		
	If your answer is "Yes", in what amount? \$ \( \frac{2000}{000} \)			
LIAB	ILITY	TO JOHN DRAKE		
Do you find from a preponderance of the evidence:				
	1.	That DeKalb County, Georgia maintained a custom or policy that intentionally discriminated against Plaintiff Drake in the terms and conditions of his employment based on Plaintiff Drake's race by creating and maintaining a racially hostile and abusive work environment?		
	Anax	ver Yes or No		
		e: if you answer "No" to Question No. 1 you need not answer		
	_	ion B2 or B3 and you should next answer question B4.]		
	2.	If you find that DeKalb County, Georgia maintained a custom or policy that intentionally discriminated against Plaintiff Drake in the terms and conditions of his employment based on his race by creating and maintaining a racially hostile and abusive work		

B.

environment, did Plaintiff Drake sustain any damages as a direct result of that custom or policy?		
Answer Yes or No Yes		
3. That Plaintiff Drake should be awarded damages against Defendant DeKalb County to compensate him for emotional pain and mental anguish?		
Answer Yes or No Yes		
If your answer is "Yes", in what amount? \$ 17,000 [Note: Please answer question B4 regardless of your answers to questions B1-B3.]		
4. That DeKalb County, Georgia maintained a custom or policy that intentionally discriminated against Plaintiff Drake in the terms and conditions of his employment based on Plaintiff Bryant's race by changing Plaintiff Drake's job duties?		
Answer Yes or No <u>Yes</u> [Note: if you answer "No" to Question No. 4 you need not answer questions B5 through B7.]		
5. That DeKalb County, Georgia would have changed Plaintiff Drake's job duties for other reasons even in the absence of consideration of Drake's race?		
Answer Yes or No		
6. If you find that DeKalb County, Georgia maintained a custom or policy that intentionally discriminated against Plaintiff Drake in the terms and conditions of his employment based on his race by changing his job duties, did Plaintiff Drake sustain any damages as a direct result of that custom or policy?		

<b>A</b>	Yes or No <u>Yes</u>
[Note: if	f you answered "No" to Questions No. 6, you need not answer as to DeKalb County, Georgia.]
$\mathbf{D}_{i}$	hat Plaintiff Drake should be awarded damages against efendant DeKalb County to compensate him for emotional ain and mental anguish?
Answer	Yes or No $\frac{y_{e,S}}{}$
If your a	answer is "Yes", in what amount? \$
LIABILITY T	O BECKY KELLEY
Do you find fro	om a preponderance of the evidence:
th te K	hat DeKalb County, Georgia maintained a custom or policy at intentionally discriminated against Plaintiff Kelley in the rms and conditions of her employment based on Plaintiff elly's race by creating and maintaining a racially hostile and busive work environment?
Answer	Yes or No NO
<del>-</del>	f you answer "No" to Question No. 1 you need not answer as C2 or C3 in this Section. Please move to question No. 4.]
or K he at	You find that DeKalb County, Georgia maintained a custom repolicy that intentionally discriminated against Plaintiff elley in the terms and conditions of her employment based on er race by creating and maintaining a racially hostile and busive work environment, did Plaintiff Kelley sustain any amages as a direct result of that custom or policy?
[Note: if	Yes or No  f you answer "No" to Question No. 2 you need not answer as 3 in this Section. Please move to question 4.]

C.

3.	That Plaintiff Kelley should be awarded damages against Defendant DeKalb County to compensate her for emotional pain and mental anguish?			
Answ	ver Yes or No			
If you	ar answer is "Yes", in what amount? \$			
4.	That Plaintiff Kelley's working conditions were so intolerable because of a racially hostile work environment that a reasonable person in like circumstances would have felt compelled to resign?			
Answ	ver Yes or No VO			
[Note	e: if you answer "No" to Question No. 4 you need not answer ions 5 through 8 in this section. Please move to question No. 9.]			
5.	That DeKalb County, Georgia maintained a custom or policy that intentionally discriminated against Plaintiff Kelley based on her race in the terms and conditions of her employment by creating and maintaining intolerable working conditions that compelled Plaintiff Kelley to resign?			
	ver Yes or No e: if you answer "No" to Question No. 5 you need not answer			
	ions 6 through 8 in this section. Please move to question No. 9.]			
6.	If you find that DeKalb County, Georgia maintained a custom or policy that intentionally discriminated against Plaintiff Kelley based on race in the terms and conditions of her employment by creating and maintaining intolerable working conditions, did Plaintiff Kelley sustain any damages as a direct result of that custom or policy?			
	ver Yes or No			
	e: if you answer "No" to Question No. 6 you need not answer ions 7 through 8. Please move to question No. 9.			
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7.	That Plaintiff Kelley should be awarded damages to compensate for a net loss of wages and benefits against Defendant DeKalb County?			
Answ	ver Yes or No			
If you	ur answer is "Yes", in what amount? \$			
8.	That Plaintiff Kelley should be awarded damages against Defendant DeKalb County to compensate her for emotional pain and mental anguish?			
Answ	ver Yes or No			
If you	ur answer is "Yes", in what amount? \$			
9.	That DeKalb County, Georgia maintained a custom or policy that intentionally discriminated against Plaintiff Kelley in the terms and conditions of her employment based on Plaintiff Kelly's race by transferring her to the Greenspace Program?			
Ansv	ver Yes or No $\mathcal{N}_{\mathcal{O}}$			
_	e: if you answer "No" to Question No. 9 you need not answer ions 10 through 12 in this Section.]			
10.	That DeKalb County, Georgia would have transferred Plaintiff Kelley to the Greenspace Program for other reasons even in the absence of consideration of Kelley's race?			
[Note	ver Yes or Noe: if you answer "Yes" to Question No. 10 you need not answer ions 11 or 12 in this Section.]			
11.	If you find that DeKalb County, Georgia maintained a custom or policy that intentionally discriminated against Plaintiff Kelley in the terms and conditions of her employment based on her race by transferring her to the Greenspace Program, did			

		Plaintiff Kelley sustain any damages as a direct result of that custom or policy?
	Ansv	ver Yes or No
	12.	That Plaintiff Kelley should be awarded damages against Defendant DeKalb County to compensate her for emotional pain and mental anguish?
	Ansv	ver Yes or No
	If yo	ur answer is "Yes", in what amount? \$
		II. <u>DEFENDANT VERNON JONES</u>
A.	LIABILITY	Y TO MICHAEL BRYANT
	Do you find	d from a preponderance of the evidence:
	1.	That Defendant Jones intentionally discriminated against Plaintiff Bryant in the terms and conditions of his employment based on Plaintiff Bryant's race by creating and maintaining a racially hostile and abusive work environment?
	[Note	ver Yes or No <u>Yes</u> e: if you answer "No" to Question No. 1 you need not answer the ining question in this Section.]
	2.	That Defendant Jones' acts were the proximate or legal cause of any damages sustained by Plaintiff Bryant?
	[Note	ver Yes or No <u>Yes</u> e: if you answer "No" to Question No. 2 you need not answer the ining question in this Section.]

	3.	That Plaintiff Bryant should be awarded damages against Defendant Jones individually to compensate him for emotional pain and mental anguish?		
	Answ	rer Yes or No		
	If you	er answer is "Yes", in what amount? \$		
	4.	That Defendant Jones acted with malice or with reckless indifference to Plaintiff Bryant's federally protected rights and that punitive damages should be assessed against Defendant Jones individually?		
	Answer Yes or No <u>Yes</u>			
	If your answer is "Yes", in what amount? $\frac{5,750}{}$			
LIAB	ILITY	TO JOHN DRAKE		
Do yo	ou find	from a preponderance of the evidence:		
	1.	That Defendant Jones intentionally discriminated against Plaintiff Drake in the terms and conditions of his employment based on Plaintiff Drake's race by creating and maintaining a racially hostile and abusive work environment?		
	Answer Yes or No <u>/es</u> [Note: if you answer "No" to Question No. 1 you need not answer the remaining question in this Section.]			
	2.	That Defendant Jones' acts were the proximate or legal cause of any damages sustained by Plaintiff Drake?		
	[Note	rer Yes or No /es : if you answer "No" to Question No. 2 you need not answer the ning question in this Section.]		

B.

	3.	That Plaintiff Drake should be awarded damages against Defendant Jones individually to compensate him for emotional pain and mental anguish?		
	Answer Yes or No			
	If you	r answer is "Yes", in what amount? \$		
	4.	That Defendant Jones acted with malice or with reckless indifference to Plaintiff Drake's federally protected rights and that punitive damages should be assessed against Defendant Jones individually?		
	Answ	er Yes or No Yes		
	If you	er answer is "Yes", in what amount? \$		
LIAB	ILITY	TO BECKY KELLEY		
Do yo	ou find	from a preponderance of the evidence:		
	1.	That Defendant Jones intentionally discriminated against Plaintiff Kelley in the terms and conditions of her employment based on Plaintiff Kelley's race by creating and maintaining a racially hostile and abusive work environment?		
	Answer Yes or No			
	2.	That Defendant Jones' acts were the proximate or legal cause of any damages sustained by Plaintiff Kelley?		
	[Note	rer Yes or No		

C.

3.	Defendant Jones individually to compensate her for emotional pain and mental anguish?
Ans	wer Yes or No
If yo	our answer is "Yes", in what amount? \$
4.	That Defendant Jones acted with malice or with reckless indifference to Plaintiff Kelley's federally protected rights and that punitive damages should be assessed against Defendant Jones individually?
Ans	wer Yes or No
If y	our answer is "Yes", in what amount? \$
5.	That Plaintiff Kelley's working conditions were so intolerable because of a racially hostile work environment that a reasonable person in like circumstances would have felt compelled to resign?
[No	te: if you answer "No" to Question No. 5 you need not answer the aining questions in this Section.]
6.	That Defendant Jones intentionally discriminated against Plaintiff Kelley based on her race in the terms and conditions of her employment by creating and maintaining intolerable working conditions that compelled Plaintiff Kelley to resign?
[No	te: if you answer "No" to Question No. 6 you need not answer the aining questions in this Section.]
7.	That Defendant Jones' acts were the proximate or legal cause of

any damages sustained by Plaintiff Kelley?

[Note: if you answer "No" to Question No. 7 you need not answer the remaining questions in this Section.]			
8. That Plaintiff Kelley should be awarded damages to compensate for a net loss of wages and benefits against Defendant Jones individually?			
Answer Yes or No			
If your answer is "Yes", in what amount? \$			
9. That Plaintiff Kelley should be awarded damages against Defendant Jones individually to compensate her for emotional pain and mental anguish?			
Answer Yes or No			
If your answer is "Yes", in what amount? \$			
10. That Defendant Jones acted with malice or with reckless indifference to Plaintiff Kelley's federally protected rights and that punitive damages should be assessed against Defendant Jones individually?			
Answer Yes or No			
If your answer is "Yes", in what amount? \$			

### III. MARILYN BOYD DREW

#### A. LIABILITY TO MICHAEL BRYANT

Do you find from a preponderance of the evidence:

1. That Defendant Drew intentionally discriminated against Plaintiff Bryant in the terms and conditions of his employment

based on Plaintiff Bryant's race by creating and maintaining a racially hostile and abusive work environment?		
Answer Yes or No Yes		
[Note: if you answer "No" to Question No. 1 you need not answer the remaining question in this Section A.]		
2. That Defendant Drew's acts were the proximate or legal cause of any damages sustained by Plaintiff Bryant?		
Answer Yes or No Yes		
[Note: if you answer "No" to Question No. 2 you need not answer the questions A3 and A4 below.]		
3. That Plaintiff Bryant should be awarded damages against Defendant Drew individually to compensate him for emotional pain and mental anguish?		
Answer Yes or No <u>Ye 5</u>		
If your answer is "Yes", in what amount? \$ \( \frac{\lambda}{\text{OOO}} \)		
4. That Defendant Jones acted with malice or with reckless indifference to Plaintiff Bryant's federally protected rights and that punitive damages should be assessed against Defendant Drew individually?		
Answer Yes or No Yes		
If your answer is "Yes", in what amount? \$ 11,500		
LIABILITY AS TO JOHN DRAKE		
Do you find from a preponderance of the evidence:		

That Defendant Drew intentionally discriminated against

Plaintiff Drake in the terms and conditions of his employment

В.

1.

based on Plaintiff Drake's race by creating and maintaining a racially hostile and abusive work environment?
Answer Yes or No
2. That Defendant Drew's acts were the proximate or legal cause of any damages sustained by Plaintiff Drake?
Answer Yes or No
3. That Plaintiff Drake should be awarded damages against Defendant Drew individually to compensate him for emotional pain and mental anguish?
Answer Yes or No
If your answer is "Yes", in what amount? \$ 12,000
4. That Defendant Jones acted with malice or with reckless indifference to Plaintiff Drake's federally protected rights and that punitive damages should be assessed against Defendant Drew individually?
Answer Yes or No /es
If your answer is "Yes", in what amount? \$
LIABILITY TO HERBERT LOWE

That Plaintiff Lowe in good faith asserted objectively reasonable complaints of racial discrimination on behalf of

Do you find from a preponderance of the evidence:

C.

1.

Plaintiffs Kelley, Bryant and/or Drake that Defendant Drew was aware of?		
Answer Yes or No <u>No</u> [Note: if you answer "No" to Question No. 1 you need not answer the remaining questions in this section C.]		
2. That Defendant Drew's acts were a substantial contributing factor in the decision to eliminate Plaintiff Lowe's position?		
Answer Yes or No <u>NO</u> [Note: if you answer "No" to Question No. 2 you need not answer the remaining questions in this Section.]		
3. That Plaintiff Lowe's complaints of race discrimination on behalf of Plaintiffs Kelley, Bryant and/or Drake were a substantial, motivating cause of Defendant Drew's acts that you find substantially contributed to the decision to eliminate Plaintiff Lowe's position?		
Answer Yes or No		
4. That Plaintiff Lowe should be awarded damages against Defendant Drew individually to compensate him for emotional pain and mental anguish?		
Answer Yes or No		
If your answer is "Yes", in what amount? \$		
5. That Defendant Drew acted with malice or with reckless indifference to Plaintiff Lowe's federally protected rights and that punitive damages should be assessed against Defendant Drew individually?		
Answer Yes or No		

A.

If your answer is "Yes", in what amount? \$			
IV. MORRIS WILLIAMS			
LIABILITY TO MICHAEL BRYANT			
Do you find from a preponderance of the evidence:			
1. That Defendant Williams intentionally discriminated against Plaintiff Bryant in the terms and conditions of his employment based on Plaintiff Bryant's race by creating and maintaining a racially hostile and abusive work environment?			
Answer Yes or No			
2. That Defendant Williams' acts were the proximate or legal cause of any damages sustained by Plaintiff Bryant?			
Answer Yes or No [Note: if you answer "No" to Question No. 2 you need not answer the			
remaining questions in this section.]			
3. That Plaintiff Bryant should be awarded damages against Defendant Williams individually to compensate him for emotional pain and mental anguish?			
Answer Yes or No			
If your answer is "Yes", in what amount? \$			

4. That Defendant Williams acted with malice or with reckless indifference to Plaintiff Bryant's federally protected rights and that punitive damages should be assessed against Defendant Williams individually?

	Answer Yes or No
	If your answer is "Yes", in what amount? \$
B.	LIABILITY TO JOHN DRAKE
	Do you find from a preponderance of the evidence:
	1. That Defendant Williams intentionally discriminated against Plaintiff Drake in the terms and conditions of his employment based on Plaintiff Drake's race by creating and maintaining a racially hostile and abusive work environment?
	Answer Yes or No VO
	[Note: if you answer "No" to Question No. 1 you should not answer the remaining question in this Section B.]
	2. That Defendant Williams' acts were the proximate or legal cause of any damages sustained by Plaintiff Drake?
	Answer Yes or No
	[Note: if you answer "No" to Question No. 2 you need not answer the remaining questions in this section.]
	3. That Plaintiff Drake should be awarded damages against Defendant Williams individually to compensate him for emotional pain and mental anguish?
	Answer Yes or No
	If your answer is "Yes", in what amount? \$
	4. That Defendant Williams acted with malice or with reckless indifference to Plaintiff Drake's federally protected rights and that punitive damages should be assessed against Defendant Williams individually?
	Answer Yes or No

	Ify	our answer is "Yes", in what amount? \$	
C.	LIABILIT	ΓΥ ΤΟ BECKY KELLEY	
	Do you fi	nd from a preponderance of the evidence:	
	1.	That Defendant Williams intentionally discriminated against Plaintiff Kelley in the terms and conditions of her employment based on Plaintiff Kelley's race by creating and maintaining a racially hostile and abusive work environment?	
	Λn	swer Yes or No	
	[No	ote: if you answer "No" to Question No. 1 you should not answer questions 2 – 4 in this Section. Please move to question 5.]	
	2.	That Defendant Williams' acts were the proximate or legal cause of any damages sustained by Plaintiff Kelley?	
	[No	Answer Yes or No	
	3.	That Plaintiff Kelley should be awarded damages against Defendant Williams individually to compensate her for emotional pain and mental anguish?	
	An	swer Yes or No	
	Ify	our answer is "Yes", in what amount? \$	
	4.	That Defendant Williams acted with malice or with reckless indifference to Plaintiff Kelley's federally protected rights and that punitive damages should be assessed against Defendant Williams individually?	
	An	swer Yes or No	

If your answer is "Yes", in what amount? \$			
5.	That Plaintiff Kelley's working conditions were so intolerable because of a racially hostile work environment that a reasonable person in like circumstances would have felt compelled to resign?		
Angw	ver Yes or No <u>VO</u>		
Note	: if you answer "No" to Question No. 5 you need not answer the		
remai	ning questions in this Section.]		
6.	That Defendant Williams intentionally discriminated against Plaintiff Kelley based on her race in the terms and conditions of her employment by creating and maintaining intolerable working conditions that compelled Plaintiff Kelley to resign?		
Answ	ver Yes or No		
[Note: if you answer "No" to Question No. 6 you need not answer the remaining questions in this Section.]			
7.	That Defendant Williams' acts were the proximate or legal cause of any damages sustained by Plaintiff Kelley?		
Answ	ver Yes or No		
[Note	e: if you answer "No" to Question No. 7 you need not answer the ining questions in this Section.]		
8.	That Plaintiff Kelley should be awarded damages to compensate for a net loss of wages and benefits against Defendant Williams individually?		
Answer Yes or No			
If you	ar answer is "Yes", in what amount? \$		
9.	That Plaintiff Kelley should be awarded damages against Defendant Williams individually to compensate her for emotional pain and mental anguish?		

	Answ	rer Yes or No	
	If your answer is "Yes", in what amount? \$		
	10.	That Defendant Williams acted with malice or with reckless indifference to Plaintiff Kelley's federally protected rights and that punitive damages should be assessed against Defendant Williams individually?	
	Answer Yes or No		
	If you	or answer is "Yes", in what amount? \$	
V. RICHARD STOGNER			
LIAE	LIABILITY TO MICHAEL BRYANT		
Do yo	ou find	from a preponderance of the evidence:	
	1.	That Defendant Stogner intentionally discriminated against Plaintiff Bryant in the terms and conditions of his employment based on Plaintiff Bryant's race by creating and maintaining a racially hostile and abusive work environment?	
	Answer Yes or No		
	2.	That Defendant Stogner's acts were the proximate or legal cause of any damages sustained by Plaintiff Bryant?	
	[Note	ver Yes or No <u>/e J</u> e: if you answer "No" to Question No. 2 you need not answer the ning questions in this Section.]	

A.

	3. That Plaintiff Bryant should be awarded damages against Defendant Stogner individually to compensate him for emotional pain and mental anguish?		
	Answ	ver Yes or No	
	If your answer is "Yes", in what amount? \$		
	That Defendant Stogner acted with malice or with reckless indifference to Plaintiff Bryant's federally protected rights and that punitive damages should be assessed against Defendant Stogner individually?		
	Answer Yes or No <u>Yes</u>		
	If you	or answer is "Yes", in what amount? \$15,750_	
LIAB	LIABILITY TO JOHN DRAKE		
Do you find from a preponderance of the evidence:			
	1.	That Defendant Stogner intentionally discriminated against Plaintiff Drake in the terms and conditions of his employment based on Plaintiff Drake's race by creating and maintaining a racially hostile and abusive work environment?	
	Answer Yes or No		
	2.	That Defendant Stogner's acts were the proximate or legal cause of any damages sustained by Plaintiff Drake?	
	Answer Yes or No		

B.

	That Plaintiff Drake should be awarded damages against Defendant Williams individually to compensate him for emotional pain and mental anguish?		
	Answer Yes or No		
	If your answer is "Yes", in what amount? \$		
	4. That Defendant Williams acted with n indifference to Plaintiff Drake's federathat punitive damages should be asses Williams individually?	ally protected rights and	
	د ع العام Answer Yes or No		
	If your answer is "Yes", in what amount? \$ / dy 000		
LIAB	ILITY TO BECKY KELLEY		
Do you find from a preponderance of the evidence:			
	1. That Defendant Stogner intentionally Plaintiff Kelley in the terms and condibased on Plaintiff Kelley's race by crearacially hostile and abusive work environments.	itions of her employment eating and maintaining a	
	Answer Yes or No		
	2. That Defendant Stogner's acts were the cause of any damages sustained by Plantage 2.	•	
	Answer Yes or No  [Note: if you answer "No" to Question No. 2 the questions 3 – 4 in this Section. Please m	•	

C.

3.	That Plaintiff Kelley should be awarded damages against Defendant Stogner individually to compensate her for emotional pain and mental anguish?		
Ans	wer Yes or No		
If yo	our answer is "Yes", in what amount? \$		
4.	That Defendant Stogner acted with malice or with reckless indifference to Plaintiff Kelley's federally protected rights and that punitive damages should be assessed against Defendant Stogner individually?		
Ans	wer Yes or No		
If yo	our answer is "Yes", in what amount? \$		
5.	That Plaintiff Kelley's working conditions were so intolerable because of a racially hostile work environment that a reasonable person in like circumstances would have felt compelled to resign?		
[No	wer Yes or No <u>No</u> te: if you answer "No" to Question No. 5 you need not answer the aining questions in this Section.]		
6.	That Defendant Stogner intentionally discriminated against Plaintiff Kelley based on her race in the terms and conditions of her employment by creating and maintaining intolerable working conditions that compelled Plaintiff Kelley to resign?		
[No	wer Yes or No		
7.	That Defendant Stogner's acts were the proximate or legal		

cause of any damages sustained by Plaintiff Kelley?

		ver Yes or No e: if you answer "No" to Question No. 7 you need not answer the ining questions in this Section.]	
	8.	That Plaintiff Kelley should be awarded damages to compensate for a net loss of wages and benefits against Defendant Stogner individually?	
	Answer Yes or No  If your answer is "Yes", in what amount? \$		
	9.	That Plaintiff Kelley should be awarded damages against Defendant Stogner individually to compensate her for emotional pain and mental anguish?	
Answer Yes or No			
	If your answer is "Yes", in what amount? \$		
	10.	That Defendant Stogner acted with malice or with reckless indifference to Plaintiff Kelley's federally protected rights and that punitive damages should be assessed against Defendant Stogner individually?	
	Answer Yes or No  If your answer is "Yes", in what amount? \$		
	SO S	AY WE ALL.	
		Michael S Ostrouski Foreperson gm 9th	
DATED: _	4/	11/10	